The Honorable Lauren King 1 2 3 4 UNITED STATES DISTRICT COURT WESTERN DISTRICT OF WASHINGTON 5 AT SEATTLE 6 N.D. et al., on behalf of a class of those No. 2:22-cv-01621-LK similarly situated, 7 8 **DECLARATION OF ALEX HAGEL** Plaintiffs, 9 v. 10 CHRIS REYKDAL, in his capacity as the SUPERINTENDENT OF PUBLIC 11 INSTRUCTION and OFFICE OF THE 12 SUPERINTENDENT OF PUBLIC INSTRUCTION, a Washington State agency, 13 Defendants. 14 15 16 I, Alex Hagel, declare as follows: I am over the age of eighteen and competent to testify to the matters set forth herein. 17 1. I make this declaration based on personal knowledge. 18 2. 19 I am an attorney at Cedar Law PLLC, representing N.D. and E.A. in this action. I am also the attorney of record in E.A.'s recently filed due process hearing request. 20 3. 21 On July 25, 2023, Lara Hruska and I had a phone conversation with Lynette Baisch, the attorney representing the Selah School District in the due process hearing request. During that 22 23 conversation, the parties discussed the impact "stay put" would have on E.A.'s graduation status and 24 age-out status. 4. After the phone call, I sent a confirmatory email to Ms. Baisch outlining my 25 understanding of the phone call. Ms. Baisch responded the following day. A true and complete copy 26 of that email exchange is attached to this declaration as **EXHIBIT A.** 27

DECLARATION OF ALEX HAGEL - 1

SUSMAN GODFREY L.L.P.

401 Union Street, Suite 3000

No. 2:22-01621-LK

Seattle, WA 98101-2668

Tel: (206) 516-3880; Fax: (206) 516-3883

1	5. Attached to this declaration as EXHIBIT B is a true and correct copy of a lette
2	E.A.'s mother received from the Selah School District, dated July 31, 2023, with appropriate
3	redactions.
4	6. Attached to this declaration as EXHIBIT C is a true and correct copy of Defendants
5	interrogatory response regarding the affirmative defenses.
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7	I declare under penalty of perjury that the foregoing is true and correct.
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9	Dated August 4, 2023, at Bothell, Washington
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